

EXHIBIT H

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

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OPTRONIC TECHNOLOGIES, INC.,)
 d/b/a Orion Telescopes &)
 Binoculars, a California)
 corporation,)

Plaintiff,)

vs.)

NINGBO SUNNY ELECTRONIC CO.,)
 LTD., SUNNY OPTICS, INC., MEADE)
 INSTRUMENTS CORP., and DOES)
 1-25)

Defendants.)

Case No.
 5:16-cv-6370-
 EJD

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WEDNESDAY, MAY 15, 2019

VIDEOTAPED DEPOSITION OF J. DOUGLAS ZONA, PH.D.

HIGHLY CONFIDENTIAL

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A P P E A R A N C E S

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1 Q. So how do you choose the beginning of your
2 damage period?

3 MR. THEODORE: Objection.

4 THE WITNESS: The beginning of the damage
5 period that we talked about before, which was
6 specific to the overcharge part of the analysis,
7 was, I believe, based on Meade's -- or the Meade
8 acquisition, the timing of the Meade acquisition.

9 Q. BY MR. GARCIA: Well, can you find it in
10 your report where your damage period is for the
11 damage analysis?

12 A. Again, for this part of the damages.
13 There's other -- the other damage calculations
14 involve different time periods. But for the
15 purpose of this input overcharge, it is November
16 2013 to May 2018 is what I used for calculating
17 damages.

18 Q. Right. And how did you derive the
19 November 2013 day, where does that come from, start
20 day?

21 A. That's what I remember right now, is it
22 had to do with the Meade acquisition.

23 Q. So your report simply assumes that the
24 collusive activity, to the extent that there was
25 price-fixing, for example, commenced at the time

1 Meade was acquired?

2 MR. THEODORE: Objection.

3 THE WITNESS: No, that's not what I am
4 assuming. For purposes of calculating damages, I
5 am only quantifying damages that occurred during
6 that time interval and beyond. I haven't given, or
7 I haven't accounted for any overcharges that may
8 have occurred before that time period.

9 So in that way, what I am estimating is
10 conservative. It is the extent to which collusion
11 occurred even before 2013.

12 Q. BY MR. GARCIA: And what about the end
13 date of the collusive period? I believe you said
14 it was in 2018?

15 A. No, I didn't say that. I didn't mean to
16 say that. I might have said that. 2018 is the end
17 of the data. So I used that time period in order
18 to calculate damages, but I have calculated it over
19 a longer time period than that.

20 Q. That's the end of your client -- Orion's
21 data?

22 MR. THEODORE: Objection.

23 THE WITNESS: I believe so, yes. The end
24 of the sales data.

25 Q. BY MR. GARCIA: So are you providing any

DEPOSITION OFFICER'S CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN FRANCISCO)

I, BALINDA DUNLAP, hereby certify:

I am a duly qualified Certified Shorthand Reporter in the State of California, holder of Certificate Number CSR 10710 issued by the Certified Court Reporters' Board of California and which is in full force and effect. (Fed. R. Civ. P. 28(a)(1)).

I am authorized to administer oaths or affirmations pursuant to California Code of Civil Procedure, Section 2093(b) and prior to being examined, the witness was first duly sworn by me. (Fed. R. Civ. P. 28(a)(a)).

I am not a relative or employee or attorney or counsel of any of the parties, nor am I a relative or employee of such attorney or counsel, nor am I financially interested in this action. (Fed. R. Civ. P. 28).

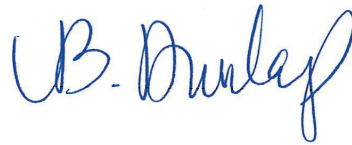
I am the deposition officer that stenographically recorded the testimony in the foregoing deposition and the foregoing transcript is a true record

/ / /

1 of the testimony given by the witness. (Fed. R. Civ. P.
2 30(f)(1)).

3 Before completion of the deposition, review of
4 the transcript [XX] was [] was not requested. If
5 requested, any changes made by the deponent (and
6 provided to the reporter) during the period allowed, are
7 appended hereto. (Fed. R. Civ. P. 30(e)).

8 Dated: MAY 30, 2019

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